

MORGAN HILL UNIFIED SCHOOL DISTRICT
BOARD OF EDUCATION MINUTES
October 16, 2018, 6:00 PM
Closed Session 4:30pm

Attendance Taken at 4:32 PM:

Present:

Gino Borgioli
Teresa Murillo
Mary Patterson
Ron Woolf

Absent:

David Gerard
Donna Ruebusch

Updated Attendance:

David Gerard was updated to present at 4:49 PM

A. CALL TO ORDER

A.1. PUBLIC COMMENT ON CLOSED SESSION TOPICS

A.2. ADJOURN TO CLOSED SESSION

A.3. PUPIL PERSONNEL - Student discipline Education Code 48918 (c)(K-12)

A.3.a. Recommendation for readmission of student R 18/19-019

A.4. LIABILITY CLAIMS - Governmental Code Section 54956.95

A.5. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION - Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Section 54956.9: two case

A.6. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - Pursuant to subdivision (a) of Government Code 54956.9

A.6.a. A Voice for Choice Advocacy, Inc., v. Morgan Hill Unified School District, et.al, Case No. 17CV316128

A.6.b. Santa Clara Superior Court Case No. 17CV319128; EL 17/18-001

A.7. CONFERENCE WITH LABOR NEGOTIATOR

(Government Code 54957.6) Morgan Hill Classified Employees Association (MHCEA) and Morgan Hill Federation of Teachers (MHFT), Designated representative: Fawn Myers / Morgan Hill Educational Leaders Association (MHELA), Unrepresented employees, Designated represent

A.8. CONFERENCE WITH REAL PROPERTY NEGOTIATORS (Government Code 54956.8)

A.8.a. Property: APNs 764-15-001 & 764-16-027 (80 West Central Ave.) Agency Negotiators: Steve Betando, Superintendent; Kirsten Perez, Assistant Superintendent; Phil Henderson, Orbach Huff Suarez & Henderson Negotiating Parties: Santa Clara County Valley Water District Under Negotiation: Price and terms of payment for temporary construction easement and potential purchase

A.8.b. Property: APNs 764-16-028 (Main @ Hale Avenue) Agency Negotiators: Steve Betando, Superintendent; Kirsten Perez, Assistant Superintendent; Phil Henderson, Orbach Huff Suarez & Henderson Negotiating Parties: Santa Clara County Valley Transportation Authority Under Negotiation: Price and terms of payment for potential purchase

A.9. PUBLIC EMPLOYEE-DISCIPLINE / DISMISSAL / RELEASE / REASSIGNMENT / COMPLAINT (Government Code 54957 and 54957.1)

A.10. PUBLIC EMPLOYMENT / PUBLIC EMPLOYEE PERFORMANCE EVALUATION (Government Code 54957) Title: Superintendent

A.11. RECONVENE TO PUBLIC SESSION

B. CALL TO ORDER / PLEDGE OF ALLEGIANCE

*President Patterson called the meeting to order at 6:05 PM
Julian Dominguez, Ann Sobrato High School Senior led the Pledge of Allegiance*

C. INTRODUCTION OF BOARD MEMBERS AND STAFF

Board members and staff seated around the dais introduced themselves.

D. RECOGNITIONS / PRESENTATIONS

E. ADOPTION OF AGENDA / APPROVAL OF CONSENT CALENDAR

Motion Passed: Passed with a motion by Gino Borgioli and a second by Ron Woolf.

Yes Gino Borgioli
Yes David Gerard
Yes Teresa Murillo
Yes Mary Patterson
Absent Donna Ruebusch
Yes Ron Woolf

F. APPROVAL OF MINUTES

F.1. Approve the minutes from the Regular Board meeting of October 2, 2018

Motion Passed: Approve as amended with a motion by Mary Patterson and a second by Ron Woolf.

Yes Gino Borgioli
Yes David Gerard
Yes Teresa Murillo
Yes Mary Patterson
Absent Donna Ruebusch
Yes Ron Woolf

G. PUBLIC COMMENT / COMMUNICATIONS

The following individuals addressed the Board:

Bob Benevento, addressed the board by defining different types of irony and referenced Gino Borgioli's campaign to dramatic irony. Mr. Benevento provided examples from a county school board meeting which he feels dramatic irony, as well as situational irony took place.

Kathy Sullivan, addressed the board in hopes that the upcoming election will restore what she feels has been a dysfunctional board. Mrs. Sullivan feels our students need a board who can collaborate and deliberate with good governance skills. Mrs. Sullivan stated our students spend more waking hours with their teachers than at home and should not have leaders/trustees who are dishonest, sexist, racist or exemplify unethical behavior. Mrs. Sullivan referred to Mr. Borgioli's campaign for County Board of Education and feels his past actions have exhibited unethical behavior and lack of good governance. Mrs. Sullivan shared an experience of working with Mr. Borgioli on a committee and found Mr. Borgioli to be dishonest and self-aggrandizing. Mrs. Sullivan urged the community to support Claudia Rossi for County Board of Education because she feels Ms. Rossi demonstrates through her actions and has the interests of our students.

John Horner, addressed the board and staff thanking them for the TK/Kindergarten Round Up post card that was mailed to all Morgan Hill residents. Mr. Horner appreciates the district marketing this event and personally supports this event as well.

Student Matthew Fitch, spoke about the impact Mr. Borgioli has made in his life. Matthew recalled the first time he met Mr. Borgioli during a volunteer reading time in his classroom. Matthew thanked Mr. Borgioli for being an important person in his life and for sharing stories to the class about his childhood. Matthew recalls Mr. Borgioli speaking about bullying and having empathy for others. Matthew shared examples of Mr. Borgioli teaching him about perseverance and his belief in Project Cornerstone.

Joe Fitch, spoke to the board about how he met Mr. Borgioli through his wife and Project Cornerstone. Mr. Fitch explained to the board how Mr. Borgioli was passionate about Project Cornerstone and at the time, interested in running for Morgan Hill school board trustee. Mr. Fitch believed in Mr. Borgioli's vision of communication, accountability and parental concerns. Mr. Fitch feels Mr. Borgioli has provided parents with a voice and he thanks Mr. Borgioli for that.

Karen Fitch, addressed Mr. Borgioli expressing her belief in him. Mrs. Fitch spoke about the countless hours of volunteer work Mr. Borgioli has contributed to schools and the community. Mrs. Fitch shared with the board the advice she gave Mr. Borgioli when he told her he was running for County Board of Education and how his opponent would fight dirty, claiming she has witnessed this in action. Mrs. Fitch feels Mr. Borgioli has done what he promised during his term as Morgan Hill Board Trustee and cares about the youth of our community. Mrs. Fitch states Mr. Borgioli has worked diligently and hopes to see him sworn in as County Trustee.

Heather Orosco, addressed the public and spoke about public comments made to the board. Ms. Orosco spoke about hearsay and gossip and feels people should do their own informational background checks on trustee candidates. Ms. Orosco referenced freedom of speech and how she feels there are occasions where you check your freedom of speech at the door. Ms. Orosco feels board meeting time is valuable and public comment is not a free for all, but rather for comments made within the Morgan Hill Unified jurisdiction.

H. COMMUNICATIONS

H.1. Closed Session Action Report (Government Code 54957.1)

H.2. Report: Student Board Member

Alexis Munson, reported the following activities at Live Oak High School: November 2nd College Fair, November 7th Been Seen and Heard training, November 14 job shadowing day, month of November Can Food drive for Thanksgiving. No other reports from Central or Sobrato High Schools.

H.3. Reports: Superintendent / Staff

Superintendent Betando, reported meeting with a variety of candidates. Superintendent Betando asked the Trustee Candidates in the audience to introduce themselves. Candidates in attendance: John Horner, Heather Orosco, Jill Provencal, Vanessa Sutter, Peter Mandel, Carol Gittens, Wendy Sullivan, James Dill, Enrique Navarro-Donnellan. The Superintendent attended the following events: manufacturing day, districtwide professional development day for teachers, District Home & School Club meeting at Barrett Elementary, City of San Jose meeting discussing the Ann Sobrato High School football field permanent structures, Rotary of Morgan Hill Student of the Year Recognition luncheon, State of the Schools address and Dennis Browne, former Community Adult School Principal funeral.

Student Board Member, Alexis Munson added that Live Oak students have been chosen to attend Camp Everytown.

H.4. Reports: Board Members

Trustee Woolf, thanked the individuals in the audience who are running for elected positions. Trustee Woolf spoke about the candidate forums he attended and how great they turned out.

Trustee Gerard - recommend a book titled Leadership in Turbulent Times, which is a comparative study of past Presidents. Trustee Gerard summarized the book speaking about mistakes made by leaders and how those leaders recover from their mistakes. Trustee Gerard stated the key differentiator for a good leader is learning from one's own mistakes. Trustee Gerard referenced similar mistakes he claims he made early in his days as Trustee. Trustee Gerard supports President Patterson stance on public comment. Trustee Gerard referenced the Brown Act and what is good use of public time. Trustee Gerard hopes the new board will evoke a good spirit.

Trustee Borgioli, spoke about his experience with CSBA conferences and trainings. Trustee Borgioli contacted CSBA regarding the jurisdiction of public comment and spoke about the Brown Act rules for public comment. Trustee Borgioli warned the public to be cautious with what they says during public comment. Trustee Borgioli encouraged the public to make sure they keep comments within the jurisdiction of the Morgan Hill Unified School District.

President Patterson, attended the District Home & School Club meeting and spoke about the commitment of the H&SC Presidents and district staff. President Patterson commended Superintendent Betando on his leadership in facilitating the meeting. President Patterson announced she is nearly done with her Master in Governance trainings and feels fortunate to have these trainings through the district. President Patterson bought back statistics of the average school board performance levels and shared them with the public and board. President Patterson recognized a former teacher who recently passed away and took a moment to honor her life, as well as other staff members we have lost who have made a mark in our community.

H.5. Reports: Employee Groups: Morgan Hill Classified Employee Association / Morgan Hill Federation of Teachers / Morgan Hill Educational Leaders Association

Morgan Hill Classified Employees Association – representative not present

Teresa Colbert, Morgan Hill Federation of Teachers Vice President spoke about the October 5th districtwide professional development day; the progress with the negotiation team; teacher turnover; and the recently approved MHELA contract. Ms. Colbert appreciates all work the negotiations team has accomplished.

Patrick Buchser, Morgan Hill Educational Leaders Association President spoke about the October 5th professional development day and all the MTSS approaches; the Home & School Club fundraisers; Been Seen and Heard assemblies; MHELA agreement; California Create Conference and how well our district was represented.

President Patterson thanked Dr. Zavala and Glen Webb for coordinating the districtwide professional development day.

H.6. Calendar: Upcoming events

President Patterson read from the calendar of upcoming events.

I. CONSENT ITEMS

I.1. BUSINESS SERVICES

I.1.a. Approval of Prequalified Contractors

I.1.b. Adopt resolution approving addendum #2 to the 2017-18 Facilities Use Agreement with Charter School of Morgan Hill extending the current agreement through June 30, 2020

I.2. EDUCATIONAL SERVICES

I.2.a. Approve contract for Special Education Services for 2018-19 in the amount of \$101,447.50

I.2.b. 3rd Quarterly Report 2018 on Williams Uniform Complaints, July 1, 2018 – September 30, 2018, for the Morgan Hill Unified School District

I.3. HUMAN RESOURCES

I.3.a. Approve personnel action to employ, re-employ, promote, reassign, accept resignation, accept retirement, and authorize related compensation

I.4. SUPERINTENDENT

J. GENERAL BUSINESS - PUBLIC SESSION ITEMS FOR BOARD DISCUSSION

J.1. Equity Item: YMCA of Silicon Valley Program Spotlight

YMCA of Silicon Valley, Mary Haughey, Andrea Nicolette and Danny Koba presented on the partnership the YMCA has with our district.

J.2. Ratify agreement with YMCA of Silicon Valley for an After School Enrichment and Safety (ASES) Program for 2018-2019 at San Martin Gwinn Environmental Science Academy and P.A. Walsh STEAM Academy

Motion Passed: Passed with a motion by Ron Woolf and a second by David Gerard.

Yes Gino Borgioli

Yes David Gerard

Yes Teresa Murillo

Yes Mary Patterson

Absent Donna Ruebusch

Yes Ron Woolf

J.3. Public Hearing to approve agreement between Morgan Hill Unified School District and the Morgan Hill Educational Leaders Association effective July 1, 2018

Motion Passed: Conduct public hearing, approve as submitted. Passed with a motion by Gino Borgioli and a second by Ron Woolf.

Yes Gino Borgioli
Yes David Gerard
Yes Teresa Murillo
Yes Mary Patterson
Absent Donna Ruebusch
Yes Ron Woolf

Fawn Myers, Assistant Superintendent Human Resources thanked President Patrick Buchser and the Morgan Hill Educational Leaders Association and briefly went over the new contract.

J.4. Board Self-Evaluation Report

The Board discussed the results of the CSBA evaluation tool. Five out of six Board Members completed the evaluation tool. The Superintendent spoke about the tool and its challenges with a default the tool created for a sixth response. The results of this evaluation created a skewed result. Trustee Borgioli thought there were many questions that would bring up good discussion topics for the board. President Patterson expressed disappointment with the tools results and founds the results difficult to tally. Trustee Woolf feels this is an important tool for the next board. Trustee Gerard explained he was the Trustee who was unable to complete the evaluation and apologized for not completing the tool. Trustee Murillo thought evaluating earlier and more often would be important in the future.

J.5. New business: future agenda items / recognitions

K. PUPIL DISCIPLINE

K.1. Recommendation for readmission of student R 18/19-019

Motion Passed: Passed with a motion by Mary Patterson and a second by Ron Woolf.

Yes Gino Borgioli
Yes David Gerard
Yes Teresa Murillo
Yes Mary Patterson
Absent Donna Ruebusch
Yes Ron Woolf

L. ADJOURNMENT

The meeting was adjourned at 7:42 PM.

Superintendent